

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

DAVID L. TOLBERT

Petitioner,

v.

Warden TOM GRAMIAK,

Respondent.

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CIVIL ACTION NO. 5:15-CV-203 (MTT)

ORDER

Before the Court is the Petitioner's Motion for Reconsideration (Doc. 33) requesting that this Court reconsider its denial of a previous Motion for Reconsideration (Doc. 32). In the previous motion, the Petitioner sought reconsideration of U.S. Magistrate Judge Stephen Hyles's order denying discovery (Doc. 23). Doc. 26. In that order, the Magistrate Judge found there was no "good cause," at that time, to grant the Petitioner's request to take the deposition of a state trial court judge, Judge Nunn. Doc. 23 at 2-4. This Court construed the Petitioner's previous motion as an objection to the Magistrate Judge's order and denied it, finding the Petitioner had not established that the Magistrate Judge's ruling was "clearly erroneous or contrary to law." Doc. 32 at 2-4. Here, the Petitioner has identified no valid basis for reconsideration of that finding. Accordingly, the Petitioner's Motion for Reconsideration (Doc 33) is **DENIED**.

SO ORDERED this 14th day of June, 2017.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT